



## The Assam Legislative Assembly Members' Salaries and Allowances Act, 1958

Act 14 of 1958

**Keyword(s):**

Member of Legislative Assembly, Salary, Allowance

Amendments appended: 21 of 2003, 14 of 2008, 4 of 2011

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## **ASSAM ACT XIV OF 1958**

### **THE ASSAM LEGISLATIVE ASSEMBLY MEMBERS' SALARIES AND ALLOWANCES ACT, 1958.**

(As passed by the Assembly)

*(Received the assent of the Governor on the 22nd May 1958)*

[Published in the *Assam Gazette*, dated the 28th May 1958]

*An*

*Act*

*to determine the salaries and allowances of the Members of the Assam Legislative Assembly.*

**Preamble.-** Whereas it is expedient to determine the salaries and allowances of the Members of the Assam Legislative Assembly;

It is hereby enacted in the Ninth Year of the Republic of India as follows :-

**1. Short title and commencement.-**

- (1) This Act may be called the Assam Legislative Assembly Members' Salaries and Allowances Act, 1958.
- (2) It shall come into force with effect from the 1<sup>st</sup> April, 1958.

**2. Definition.-**

In this Act and for the purposes thereof "Member" means a Member of the Assam Legislative Assembly, other than the Speaker, Deputy Speaker of the Assembly, a Minister, a Deputy Minister or a Parliamentary Secretary to the Government of Assam.

**3. Salaries.-**

There shall be paid to each Member a salary at the rate of two hundred and fifty rupees per mensem:

Provided that a Member may, if he so desires, forego either in full or in part his salary for any period and in the manner prescribed by Rules made by the State Government in this behalf.

**4. Allowances-**

There shall be paid to each Member the following allowances in connection with his duties as Member of the Assembly-

- (1) daily allowance at the rate of twenty rupees per day when his attendance is required at Shillong in connection with his duties as a Member. For other places the Member shall draw daily allowance at the rate of seven rupees and eight annas (7.50 Naye Paise) per day subject to such increase as is sanctioned by the State Government from time to time for first grade Government Servants:

Provided that a Member may, if he so desires, forego either in full or in part the aforesaid daily allowance of twenty rupees in the manner to the prescribed by Rules made by the State Government in this behalf;

- (2) travelling allowance at the rate admissible to a Government Servant of the first grade under the Assam Subsidiary Rules.

**5. Conveyance allowance.-**

There shall be paid to each Member a conveyance allowance at the rate of two rupees and eight annas (2.50 Nave Paise) per day during the Session of the Assembly and during Committee Meetings

**6. Medical attendance and treatment.-**

While on duty in or outside Shillong for the purposes of attending a meeting of the Legislature or a Committee Meeting or Conference appointed by Government, Members shall be entitled to the same medical attendance and treatment as are laid down for Government Servants.

**7. Rule making powers of the State Government.-**

The State Government shall make rules-

- (a) to prescribe the periods during which, and the conditions under which, daily allowance may be drawn, and the circumstances under which such allowances may be withheld;
- (b) to prescribe the conditions under which and the journeys for which travelling allowance may be claimed;
- (c) to prescribe the Hospitals for medical attendance and treatment; and
- (d) generally for carrying out the purposes of the Act.

**8. Repeal of Assam Act 1 of 1938 and Assam Act X of 1958.-**

The Assam Legislative Chambers (Members' Emoluments) Act, 1938 and the Assam Legislative Assembly (Members' Emoluments) Act, 1954 are hereby repealed.

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## ASSAM ACT NO. XXI OF 2003

(Received the assent of the Governor on 8th May, 2003)

THE ASSAM LEGISLATIVE ASSEMBLY MEMBERS' SALARIES,  
ALLOWANCES AND PENSIONS (AMENDMENT) ACT, 2003

AN

ACT

further to amend the Assam Legislative Assembly  
Members' Salaries, Allowances and Pensions Act,  
1958.

**Preamble.**

Whereas it is expedient further to amend the  
Assam Legislative Assembly Members' Salaries,  
Allowances and Pensions Act, 1958, hereinafter  
referred to as the principal Act, in the manner  
hereinafter appearing;

Assam  
Act. No.  
XIV  
of 1958.

It is hereby enacted in the Fifty-fourth Year  
of the Republic of India, as follows :-

**Short title  
and  
commencement.**

1. (1) This Act may be called the Assam Legislative  
Assembly Members' Salaries, Allowances  
and Pensions (Amendment) Act, 2003.

(2) It shall be deemed to have come into force on  
the first day of April, 2003.

**Substitution  
of new  
section for  
section 3.**

2. In the principal Act, for the existing Section 3,  
the following section shall be substituted, namely :-

"3. Salaries : - There shall be paid to each Member  
a salary at the rate of rupees two thousand per  
mensem."

Provided that a Member may, if he so  
desires, forgo either in full or in part his salary  
for any period and in the manner prescribed  
by rules made by the Secretary, Assam  
Legislative Assembly in this behalf."

**Amendment  
of section 4.**

3. In the principal Act, in section 4, for the existing  
sub-sections (1), (3) and (4), the following sub-  
sections shall be substituted, namely :-

"(1) Daily Allowance at the rate of rupees three hundred per day when his attendance is required during the Session of the Assembly or during the meetings of any Committee of the House of which he is a Member or for attending any meeting of a Government Committee of which he is a Member or for attending any meeting convened by the Government :

Provided that if the Member's attendance is required at any place outside the State, he shall be entitled to five hundred rupees :

Provided further that a Member may, if he so desires, forgo either in full or in-part the aforesaid daily allowance.

- (3) a constituency allowance of two thousand five hundred rupees per mensem for the purpose of tours in the constituency of the Member to be drawn on the same manner as is prescribed for drawal of salaries in a seperate Form to be prescribed by rules made by the Secretary, Assam Legislative Assembly in this behalf.
- (4) a fixed monthly contingency allowance of two thousand rupees for meeting expenses on stenographic and typing assistance, postal services and subscription of news papers."

ARVIND DAVE  
GOVERNOR OF ASSAM.

K. D. PHUKAN,  
Secretary to the Govt. of Assam,  
Legislative Department.

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EXTRAORDINARY

প্রাপ্ত কর্তৃত্বৰ দ্বাৰা প্রকাশিত

PUBLISHED BY THE AUTHORITY

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No. 121 Dispur, Tuesday, 22nd April, 2008, 2nd Baisakha, 1930 (S.E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH

NOTIFICATION

The 22nd April, 2008

No. LGL. 57/2003/35 - The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. XIV OF 2008

(Received the assent of Governor on 13th April '08)

THE ASSAM LEGISLATIVE ASSEMBLY MEMBERS' SALARIES  
ALLOWANCES AND PENSIONS (AMENDMENT) ACT, 2008.

AN

ACT

further to amend the Assam Legislative Assembly Members' salaries, Allowances and Pensions Act, 1958.

*Preamble*

Whereas it is expedient further to amend the Assam Legislative Assembly Members' Salaries, Allowances and Pensions Act, 1958, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

Assam Act  
No. XIV of  
1958.

It is hereby enacted in the Fifty-ninth Year of the Republic of India, as follows:-

**Short title and commencement**

1.(1) This Act may be called the Assam Legislative Assembly Members' Salaries, Allowances and Pensions (Amendment) Act, 2008.  
(2) It shall come into force at once.

**Amendment of Section 3.**

2. In the principal Act, for the existing section 3, the following shall be substituted, namely:-

"3. Salaries.- There shall be paid to each Member a Salary at the rate of rupees twelve thousand per mensem ;

**Amendment of section 4.**

3. In the principal Act, in section 4, for the existing sub-sections (1),(2),(3) and (4), the following shall be substituted, namely:-

"(1) Daily Allowance at the rate of rupees five hundred per day when his attendance is required during the Session of the Assembly or during the meetings of any Committee of the House of which he is a Member or for attending any meeting of a Government Committee of which he is a Member or for attending any meeting convened by the Government;

Provided that if the Members' attendance is required at any place outside the State, he shall be entitled to one thousand rupees;

(2) Travelling Allowance for the purpose of travelling on official duty by own car or by private vehicle shall be Rs. 8.00 per kilometre.

(3) a Constituency Allowance of three thousand five hundred rupees per mensem for the purpose of tours in the constituency of the Member to be drawn on the same manner as is prescribed for drawal of salaries in a separate form to be prescribed by rules made by the Secretary, Assam Legislative Assembly in this behalf.

(4) a fixed monthly Contingency Allowance of three thousand rupees for meeting expenses, postal services and subscription of news papers."

**Insertion of  
new section 4-A  
and 4-B.**

**"Secretarial  
Assistance.**

**Conveyance  
Allowance**

**Amendment  
of section 5**

**Sitting  
Allowance**

**Amendment  
of section 6**

**"Medical  
Facilities**

4. In the principal Act, after section 4, the following new sections 4A and 4B shall be inserted, namely:-

4A. There shall be paid a consolidated amount of rupees three thousand per mensem to each Member for providing secretarial assistance during the tenure of their membership of Assam Legislative Assembly.

4B. each member of the Assam Legislative Assembly shall draw an amount of rupees six thousand three hundred per mensem alongwith his/her salary as conveyance allowance (POL cost)."

5. In the principal Act, for the existing section 5, the following shall be substituted, namely -

5. A sitting allowances of rupees five hundred shall be paid to each member per day during the period of the Assembly Session and during the Committee meetings.

6. In the principal Act, for existing section 6, the following shall be substituted, namely:-

6. A member and the members of his/her family shall receive the same Medical Attendance and treatment as are laid down for Senior Government Servant in all Government Hospital, Dispensaries and other recognized Hospitals."

**Amendment of  
section 6A****"Telephone  
Charges.**

7. In the principal Act, in section 6A, the following shall be substituted, namely:-

6A. (1) There shall be paid rupees two thousand and five hundred per mensem to each Member as Telephone Charges during tenure of their membership of the Assam Legislative Assembly for the telephone installed in their Dispur Hostel Residence.

(2) The Member shall be entitled to draw a fixed amount of rupees two thousand per mensem as Telephone Charge during the tenure of their membership of the Assam Legislative Assembly for telephone installed at the Member's residence in his/her home constituency."

**Insertion of new  
sections 6C and  
6D****"Loand  
and  
Advances**

8. In the principal Act, after section 6B, the following new section 6C and 6D shall be inserted, namely:-

6C. A member may be advanced loan for the purchase of Land or Building, Motor Car up to rupees seven lakhs to be repaid from out of his Salary and Pension respectively, at a rate of interest of rupees six percent per annum:

Provided that a member is entitled to draw a fresh loan, if he or she has liquidated the earlier loan with interest.

**Explanation :-** For the purpose of applicability of this section, the members of the Council of Ministers including Chief Minister, Speaker, Deputy Speaker and Leader of the Opposition, Parliamentary Secretary in Assam Legislative Assembly shall be treated as Member.

**Travel Facilities**

6D. (1) Every Member shall be provided with money value coupon books for two non-transferable A/C II Tier passes which is entitled to him/her and his/her spouse or other person accompanying him/her to look after and assist him/her to travel at any time by railway in India, a distance not exceeding twenty thousand kilometres either or both the passes, during the financial year :

Provided that if the Members performs the journey with his/her spouse or any other person accompanying him/her look after and to assist him/her by a class higher than his entitled class in Air Conditioned Coach or by Air, he shall no be entitled to receive more than his entitled amount of Rs. 29,742/-per annum payable to the Member:

(2) Every Member of the Assam Legislative Assembly shall be provided with two free non-transferable passes which shall entitle him/her and his/her spouse or any other person accompanying him/her to look after and assist him/her to travel at any time within the State of Assam by any public service (operated under A.S.T.C.) vehicle or by the Assam State Transport Corporation vehicle.

**Amendment of section 6B**

9. In the principal Act, for the existing section 6B, the following shall be substituted, namely:-

**"Pension to Ex-MLAs**

6B. There shall be paid a pension of Rupees six thousand per mensem to every Ex-Member who has served for a period of one term or shorter than five years as a Member of the Assam Legislative Assembly after the commencement of the Constitution of India:

Provided that where any Ex-member has served as aforesaid for a period exceeding five years, there shall be paid to him/her an enhanced pension of rupees two hundred per mensem for every completed year, in excess of five years or so, however that, in no case, the pension payable to such Ex-Member shall exceed subject to maximum of rupees eight thousand per month."

Insertion of new  
Section 6E

**10.** In the principal Act, after section 6D, the following new section 6E shall be Inserted, namely:-

"Medical  
Allowance to  
Ex-MLAs

6E. An Ex-MLA who is entitled to pension under provisions of this Act, shall be entitled to a Medical Allowance at the rate of rupees four thousand per month:

Provided that an Ex-MLA who is holding any of the offices under the Government or Board or Corporation or any other Bodies or Authorities in which there is provision for Medical Allowance to him, such an Ex-MLA shall not be entitled to the Medical Allowance under this Act during the period in which he continued to hold such an office. Such an Ex-MLA shall, however, be entitled to the Medical Allowance immediately after he relinquishes any such office, if he is not otherwise entitled to any such Medical Allowance by virtue of his holding such office after relinquishment of the said office:

Provided further that if the amount of Medical Allowance receivable by him by virtue of his holding any offices is less than rupees four thousand per month then he shall be entitled to the difference of the two amounts."

Insertion of new  
section 6F

**11.** In the principal Act, after section 6E, the following shall be inserted, namely:-

"Travel  
Facilities to Ex-  
Member

6F. Every Ex-Member of the Assam Legislative Assembly shall be provided with two free non-transferable passes which shall entitle him/her and his/her spouse or any other person accompanying him/her to look after and assist him/her to travel at any time within the State of Assam by any public service (operated under A.S.T.C.) vehicle or by the Assam State Transport Corporation vehicle.

Provided that if the Ex-Member performs the journey with his/her spouse or any other person accompanying him/her to look after and to assist him, by train or Air involving higher cost of fare, he shall not be entitled to receive more than his entitled amount Rs. 15,000/- per annum payable to the Ex-member."

**Insertion of new section 6G**

12. In the principal Act, after section 6F, the following new section 6G shall be inserted, namely:-

**"Family Pension**

6G. Family pension to the widow/widower of the Member shall be fixed at 50% of the amount of pension that the Ex-Member is entitled to draw at the time of his/her death. Also the holder of family pension shall be entitled to draw Medical Allowance at the rate of rupees four thousand per month along with the family pension."

**Act to have overriding effect**

13. Notwithstanding anything contained in the Assam Legislative Assembly Members' salaries, Allowances and Pensions Rules, 1990 (as amended) or any other provisions of the principal Act, the Salaries, Allowances and Pensions of the Members shall be governed under the provisions of this act.

**MOHD. A. HAQUE,**  
Secretary to the Government of Assam,  
Legislative Department..



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সত্যমেব জয়তে  
**বাজপত্র**  
**THE ASSAM GAZETTE**

অসাধাৰণ  
**EXTRAORDINARY**

প্রাপ্ত কর্তৃত্বৰ দ্বাৰা প্ৰকাশিত

**PUBLISHED BY THE AUTHORITY**

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নং ৫৯ দিশপুৰ, সোমবাৰ, ২৮ ফেব্ৰুৱাৰী, ২০১১, ৯ ফাল্গুন, ১৯৩২ (শক)  
No. 59 Dispur, Monday, 28th February, 2011, 9th Phalgun, 1932 (S.E.)

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GOVERNMENT OF ASSAM  
ORDERS BY THE GOVERNOR  
LEGISLATIVE DEPARTMENT : : LEGISLATIVE BRANCH

**NOTIFICATION**

The 28th February, 2011

**No. LGL. 57/2003/81.**- The following Act of the Assam Legislative Assembly which received the assent of the President is hereby published for general information.

**ASSAM ACT NO. IV OF 2011**

(Received the assent of the Governor on 24th February, 2011)

**THE ASSAM LEGESLATIVE ASSEMBLY MEMBERS' SALARIES,  
ALLOWANCES AND PENSIONS (AMENDMENT) ACT, 2011**

AN  
ACT

further to amend the Assam Legislative Assembly Members' Salaries, Allowances and Pensions Act, 1958.

**Preamble**

Whereas it is expedient further to amend the Assam Legislative Assembly Members' Salaries, Allowances and Pensions Act, 1958, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

**Assam Act.  
No. XIV  
1958.**

It is hereby enacted in the Sixty-second Year of the Republic of India, as follows:-

**Short title and commencement**

1.(1) This Act may be called the Assam Legislative Assembly Members' Salaries, Allowances and Pensions (Amendment) Act, 2011.

(2) It shall come into force at once.

**Amendment of section 4.**

2. In the principal Act, in section 4, for the existing sub-section (1), the following shall be substituted, namely:-

"(1) A daily allowance @ Rs. 1000/- shall be entitled while coming from Constituency/residence for attending Session/Meeting of Assembly Committee of which he/she is a member or for attending any meeting convened by Assam Legislative Assembly and a daily allowance at the same rate shall be entitled for going back to such place. But no D. A. is admissible during the period when the House is in Session or Committee meeting:

Provided that a daily allowance of one thousand rupees shall be entitled per day while on official tour and its halt within the State of Assam, and if the Members' attendance is required at any place outside the State in connection with such meeting, he/she shall be entitled to a Daily Allowance of one thousand five hundred rupees per day."

**Substitution  
of section 6G**

3. In the principal Act, for the existing section 6G, the following shall be substituted, namely:-

**Family Pension**

6G. Family pension to the widow/widower of the Member shall be fixed at 50% of the amount of pension that the Ex-Member is entitled to draw at the time of his/her death subject to a minimum of rupees three thousand per month. Also the holder of family pension shall be entitled to draw Medical Allowance at the rate of rupees eight thousand per month along with the family pension.

**MOHD. A. HAQUE,**  
Secretary to the Government of Assam,  
Legislative Department, Dispur.